

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 IO-13 CIAE-00 PM-04 INR-07 L-03 ACDA-07

NSAE-00 PA-01 SS-15 PRS-01 SP-02 USIA-06 TRSE-00

SAJ-01 OMB-01 DODE-00 H-02 NSC-05 EB-07 /088 W

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R 031440Z DEC 76

FM USMISSION USBERLIN

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C O N F I D E N T I A L USBERLIN 2600

E O 11652: GDS

TAGS: PFOR PGOV WB GE GW UR

SUBJ: GDR CLAIMS NATURAL RIGHT TO SUPERVISE QUADRIpartite
AGREEMENT

REFS: A) USBERLIN 2425; B) USBERLIN 2471; USBERLIN 2424

1. SUMMARY: GDR ASSERTED TO SENAT NOVEMBER 16
FIVE REASONS WHY IT HAS "NATURAL RIGHT" (NATURLICHES
RECHT) TO SUPERVISE QUADRIpartite AGREEMENT, PROTESTED
TWO MEETINGS IN BERLIN WHICH SOVIETS HAD PREVIOUSLY
RAISED WITH ALLIES, AND ALLUEDED TO POSSIBILITY OF
CONSULTATIONS MECHANISM BEING INVOLVED TO RESOLVE
QA DIFFERENCES. END SUMMARY.

2. GDR VISITS ARRANGEMENT COMMISSIONER MITDANK
DETAILED FOLLOWING REASONS TO HIS SENAT COLLOCUTOR KUNZE
WHY GDR HAS RIGHT TO EXPRESS ITSELF ON QA:

--LINK BETWEEN QA AND DETENTE;

--GDR'S CONTRIBUTION TO QA;

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--LINK BETWEEN QA AND TRANSIT AND VISIT TRAFFICE;

--FACT THAT BERLIN LIES IN MIDDLE OF GDR;

SOMEWHAT MYSTERIOUSLY MITDANK CITED "FIFTH REASON WHICH KHOTULEV HAD RECENTLY EXPLAINED TO MR. DAVIS" (US POLAD). MOVING FROM GENERAL TO SPECIFIC, HE THEN OBJECTED TO RECENT JOINT MEETING OF HAMBURG, BREMEN AND BERLIN SENATS AND TO VISIT OF MIXED EC PARLIAMENTARY COMMITTEE ON GREEK CANDIDACY, BOTH SUBJECTS WHICH SOVIETS HAD RECENTLY PROTESTED (REFS A AND B). MITDANK CLAIMED THAT GDR HAS NOTICED INCREASE IN DEMONSTRATIVE SENAT-FRG ACTIONS SINCE FRG ELECTION AND ASKED WHETHER THIS WAS CONCERTED PLAN. HE THEN CALLED KUNZE'S ATTENTION TO FINAL QUADRIPARTITE PROTOCOL, PRESUMEDLY IN ORDER TO IMPLY THAT ONE CONSEQUENCE MIGHT BE SOVIET INVOCATION OF CONSULTATIONS MECHANISM.

3. KUNZE EXPRESSED ASTONISHMENT AT GDR CLAIM TO "NATURAL RIGHT" WITH RESPECT TO QA AND THEN MADE STANDARD REJOINDER OF DISCLAIMING ANY COMPETENCE OF VISITS ARRANGEMENT COMMISSIONERS TO DISCUSS SUCH SUBJECTS. WEST BERLIN PAPERS REPORTED FOLLOWING DAY THAT SENAT HAD REJECTED PROTESTS ON THIS PROCEDURAL GROUND.

4. COMMENT: GDR HAS, OF COURSE, SOUGHT CONTINUALLY TO UTILIZE PERIODIC MEETINGS OF VISITS ARRANGEMENT COMMISSIONERS AS CHANNEL FOR FAR-RANGING DIPLOMATIC DISCUSSIONS WITH SENAT. THERE HAS BEEN INCREASING TENDENCY OF LATE TO PARALLEL IN THIS CHANNEL PROTESTS SOVIETS HAVE JUST MADE WITH ALLIES. ALL THIS ACCORDS, OF COURSE, WITH STANDARD SOVIET-GDR POLICY OF ATTEMPTING TO TREAT WEST BERLIN AS THIRD GERMAN STATE. MITDANK'S NATURAL RIGHT THESIS STRIKES US AS A PARTICULARLY EGREGIOUS EFFORT TO MOVE GDR AND SENAT TO LEVEL OF FIFTH AND SIXTH PARTIES TO QA, BUT WE ARE DOUBTFUL THAT TAKEN BY ITSELF IT REPRESENTS SIGNAL OF ANY HARDER POLICY.

5. THERE IS IN THESE MEETINGS, IN FACT, A STRONG
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ELEMENT OF ONE-UPSMANSHIP. MITDANK'S RATHER ODD FIFTH REASON MAY PERHAPS BE UNDERSTOOD IN THIS LIGHT. REFERENCE MAY POSSIBLY BE TO ALLUSION IN SOVIET PROTEST OF NOVEMBER 9 ON EAST GERMAN WHO WALKED THROUGH CHECKPOINT CHARLIE IN AMERICAN ARMY UNIFORM. SOVIETS CALLED THIS "GROSS VIOLATION OF THE ORDER PREVAILING ON THE BORDER OF WEST BERLIN AND A MISUSE OF THE POSITION OF THE GDR" (REF C). MITDANK

COULD HAVE BEEN SUGGESTING THAT GDR CONSIDERS PRACTICES AND PROCEDURES FOR ALLIED MOVEMENT BETWEEN EAST AND WEST BERLIN ARE BASED ON QA, A POSITION WHICH SOVIETS DID NOT THEMSELVES TAKE IN THEIR PROTEST. MITDANK MAY, HOWEVER, ALSO HAVE BEEN RESORTING TO ONE OF HIS FAVORITE TACTICS AT THESE MEETINGS, NAME DROPPING, IN AN EFFORT TO DEMONSTRATE THAT SOVIETS KEEP GDR FULLY INFORMED ABOUT THEIR FOUR POWER DISCUSSIONS. UNLESS SOVIETS PICK UP CONSULTATIONS ALLUSION IN ONE OF THEIR NEXT MEETINGS WITH US, HOWEVER, WE WOULD BE INCLINED TO RATE THIS COMMENT AND IN FACT MOST OF THIS PERFORMANCE MORE AS MINOR LEAGUE BLUSTER AT A TIME WHEN A SERIES OF SENAT-GDR NEGOTIATIONS SUCH AS TELTOW CANAL, SPANDAU LOCK AND PURCHASE OF THE "DUCKBILL" ARE STALLED THAN AS NEW DEPARTURE.

6. THE BRITISH MISSION HAS PROPOSED THAT WE MAKE A HEAVY PROTEST TO THE SOVIETS ABOUT THIS MITDANK SALLY. WHILE WE CONSIDER THAT THE SOVIETS CAN BE TWITTED INFORMALLY ABOUT THE EPISODE, PARTICULARLY AS A REACTION TO THEIR PROFESSED OUTRAGE AT THE VAN WELL ARTICLE, WE DO NOT CONSIDER THAT IT WOULD BE ADVISABLE TO ELEVATE IT TO A SUBJECT OF FORMAL DISCUSSION. IT WAS IMPROPERLY RAISED IN THE WRONG FORUM, AND AS OBITER DICTA IT WAS PROMPTLY AND PROPERLY REBUTTED BY KUNZE ON THE SPOT. SHOULD WE PROTEST THE INTERPRETATION FORMALLY, THE SOVIETS MIGHT FEEL OBLIGED TO DEFEND IT SINCE IT IS AKIN TO ELEMENTS WHICH HAVE LONG BEEN EMBEDDED IN THE COMMUNIST PHILOSOPHY, E.G., THE OLD LINE THAT BERLIN IS "ON THE TERRITORY OF THE GDR."

7. THE FRENCH MINISTER DID RAISE IT IN A BANTERING WAY
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WITH KHOTULEV A FEW DAYS AGO, TO THE LATTER'S EMBARRASSMENT. US POLAD INTENDS TO FOLLOW THIS UP WITH A PRIVATE REPROACH ON SOME SOCIAL OCCASION, IN WHICH HE WILL ASK KHOTULEV KINDLY TO RESTRAIN MITDANK FROM CITING SOVIETS/US CONVERSATIONS IN HIS TALKS ON VISITS WITH THE SENAT. END COMMENT.GEORGE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CLAIMS, AGREEMENTS, BERLIN QUADRIPARTITE MATTERS, DIPLOMATIC PROTESTS, CENTRAL LEGISLATURE
Control Number: n/a
Copy: SINGLE
Draft Date: 03 DEC 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: coburnhl
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976USBERL02600
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760448-1179
From: USBERLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761273/aaaacldg.tel
Line Count: 160
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 USBERLIN 2425, 76 USBERLIN 2471, 76 USBERLIN 2424
Review Action: RELEASED, APPROVED
Review Authority: coburnhl
Review Comment: n/a
Review Content Flags:
Review Date: 26 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <26 APR 2004 by BoyleJA>; APPROVED <16 AUG 2004 by coburnhl>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: GDR CLAIMS NATURAL RIGHT TO SUPERVISE QUADRIPARTITE AGREEMENT
TAGS: PFOR, PGOV, WB, GC, GE, UR
To: BONN
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006